

IN THE CLAIMS:

Claims 1-11 (canceled)

12. (currently amended) A composition for topical application comprising: kombucha and a cosmetically acceptable carrier mixed with said kombucha, wherein said kombucha is present in an amount of 0.001% (w/w) to 100% (w/w) of the total weight of said composition.

13. (previously presented) The composition of claim 12, wherein said kombucha is derived from green tea, semi-fermented tea, black tea, smoked black tea, yellow tea, dark tea, white tea, herb tea of plants or of fruits, or an infusion thereof.

14. (previously presented) The composition of claim 13, wherein said kombucha is derived from green tea, semi-fermented tea, black tea, smoked black tea, yellow tea, dark tea or white tea

15. (previously presented) The composition of claim 14, wherein said kombucha is derived from black tea.

16. (cancelled)

17. (currently amended) The composition of claim ~~16~~12, wherein said kombucha is present in an amount of between 0.01% (w/w) and 20% (w/w).

18. (previously presented) The composition of claim 12, wherein said kombucha when mixed with said cosmetically acceptable carrier is in the form of a solution, dispersion, emulsion, paste or powder.

19. (previously presented) The composition of claim 12, wherein said kombucha may be part of, or contained within, a macrocapsule, microcapsule, nanocapsule, liposome, chylomicron, macroparticle, microparticle or nanoparticle, macrosponge, microsponge or nanosponge, or may be adsorbed on an organic polymer powder, talc, bentonite or inorganic support.

20. (previously presented) The composition of claim 12, wherein said kombucha when mixed with said cosmetically acceptable carrier is in the form of a lotion, milk, emollient, or cream.

21. (previously presented) The composition of claim 12, wherein said mixture of kombucha and a cosmetically acceptable carrier is a formulation for skin care or hair care, a make-up-removing base, a foundation tint base, a sun-screen, an artificial suntan base, a shaving base, an aftershave, shampoo, lipstick, mascara or nail varnish.

22. (previously presented) The composition of claim 12 further comprising an adjuvant, organic or hydroglycolic solvent, fatty substance obtained by extraction or synthesis, ionic or non-ionic thickener, softener, opacifier, stabilizer, emollient, silicone, α - or β -hydroxy acid, antifoaming agent, moisturizing agent, vitamin, perfume, preservative, sequestering agent, coloring agent, gel-forming or viscosity-increasing polymer, surfactant and emulsifier, other water- or fat-soluble active principle, plant extract, tissue extract, marine extract, sun filter, and antioxidant.

23. (cancelled)

24. (currently amended) The composition of claim ~~23~~22, wherein said kombucha is present in an amount of between 0.01% (w/w) and 20% (w/w).

25. (previously presented) The composition of claim 12 further comprising at least one material useful for the prevention or deceleration of protein glycation.

26. (previously presented) The composition of claim 25, wherein said material useful for the prevention or deceleration of protein glycation is collagen.

27. (previously presented) The composition of claim 12, further comprising an agent useful to stimulate subcutaneous lipid synthesis.

28. (previously presented) An article comprising: the composition of claim 12 bound to, incorporated in, absorbed in or adsorbed on textiles, natural or synthetic fibres, wools, and any materials that may be used for clothing or for day or night underwear intended to come into contact with the skin, such as tights, underclothes, handkerchiefs, or cloths, to exert their cosmetic effect via this skin/textile contact and to permit continuous topical delivery.

29. (currently amended) A method of preventing the signs of endogenous and/or exogenous aging, to restore suppleness and elasticity to the skin, to improve its appearance and the feeling of comfort, to carry out a cosmetic "lipofilling," to firm the skin of the face, hips, thighs, to invigorate the texture of the skin, to recover matter of the skin, to recover the full forms of a young face, restore the volume of the skin, to restore the freshness of the complexion, to increase radiance to treat in particular the wrinkles and/or the fine lines, the cutaneous and/or under-cutaneous sagging of the features of the face, sagging of the skin of the hips, of the thighs, the deterioration (or the collapse) of cutaneous microrelief, the flaccid skin, the mat skin comprising the step of applying to skin, mucosae or skin appendage a composition in accordance with claim 12 or ~~23~~22.

Application No.: 10/523,333

Docket No.: SEDERM 3.3-010

In the event any fee is due in connection with the present response, the Examiner is authorized to charge Applicant's Deposit Account No. 12-1095 therefor.

Dated: November 28, 2006

Respectfully submitted,

By 

Michael H. Teschner

Registration No.: 32,862
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090

(908) 654-5000
Attorney for Applicant

705116_1.DOC